

90th Legislative Session – 2015

Committee: House Commerce and Energy

Wednesday, February 11, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Beal
P Deutsch
P Harrison
P Hawley
P Kirschman
P Novstrup (Al)
P Stalzer
P Wiik
E Willadsen
P Wollmann
P Zikmund
P Schoenbeck, Vice-Chair
P Rounds, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Tim Rounds, Chair.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 9, 2015

Moved by: Wiik
Second by: Beal
Action: Prevailed by voice vote.

Gavel was passed to Representative Schoenbeck, Vice Chair

HB 1235: update the valuation manual related to the valuation of assets, liabilities, and reserves.

Presented by: Representative Tim Rounds

Proponents: Justin Smith, American Council of Life Insurers

Gavel was passed to Representative Wollman

John Bruins, American Council of Life Insurance
Larry Deiter, Department of Labor and Regulations

MOTION: AMEND HB 1235

1235ya

On page 17, line 22, delete "and" and insert "or".

On page 19, line 14, delete "33" and insert "32".

On page 21, line 6, before "term" insert "the".

On page 23, line 22, delete "section 30 of this Act" and insert "chapter 58-3".

On page 23, line 23, delete "section 30 of this Act" and insert "chapter 58-3".

On page 23, line 24, delete "section" and insert "chapter 58-3".

On page 24, line 1, delete "30 of this Act".

On page 24, line 2, delete "section 30 of this" and insert "chapter 58-3;".

On page 24, delete line 3.

On page 24, line 12, delete "(2)" and insert "(3)".

Moved by: Rounds
Second by: Wiik
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1235 AS AMENDED

Moved by: Harrison
Second by: Deutsch
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Beal, Deutsch, Harrison, Hawley, Kirschman, Novstrup (Al), Stalzer, Wiik, Wollmann, Zikmund, Rounds

Excused: Willadsen, Schoenbeck

MOTION: PLACE HB 1235 ON CONSENT CALENDAR

Moved by: Deutsch

Second by: Rounds

Action: Prevailed by voice vote.

Gavel returned to Representative Rounds, Chair

HB 1139: revise certain procedures for competitive sealed bids by public purchasing agencies.

Presented by: Representative Blaine "Chip" Campbell

Proponents: Yvonne Taylor, SD Municipal League
Bill Nevin, Department of Transportation

MOTION: AMEND HB 1139

1139ya

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That chapter 5-18B be amended by adding thereto a NEW SECTION to read as follows:

If an invitation for a bid for airport improvements states that the requirement the bid be awarded within thirty days has been waived, the provisions of subdivision 5-18A-5(7) and § 5-18B-9 do not apply. If the bid award time exceeds thirty days, any bid may be withdrawn by the bidder without jeopardizing the bid bond. This section only applies to any improvement project that relies on federal funding from the federal aviation administration."

Moved by: Wollmann

Second by: Wiik

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1139 AS AMENDED

Moved by: Wiik
Second by: Wollmann
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Beal, Deutsch, Harrison, Hawley, Kirschman, Novstrup (Al), Stalzer, Wiik, Wollmann, Zikmund, Rounds

Excused: Willadsen, Schoenbeck

MOTION: PLACE HB 1139 ON CONSENT CALENDAR

Moved by: Kirschman
Second by: Zikmund
Action: Prevailed by voice vote.

HB 1133: regulate vision care plans and vision discount plans.

Presented by: Representative Kristin Conzet
Proponents: Bob Riter, South Dakota Optometric Society
James Nelson, Self, Huron
Jill Hart, Self, Pierre
Scott Kennedy, Self, Spearfish
Opponents: Bill Van Camp, National Association of Vision Care Plans
Justin Smith, Wellmark Blue Cross And Blue Shield
Dennis Duncan, Dakotacare

Gavel was passed to Representative Schoenbeck, Vice Chair

Shawn Lyons, SD Retailers Association
Melissa Klemann, South Dakota Department of Labor & Regulation
Drew Duncan, Consumer Health Alliance

Gavel was returned to Representative Rounds, Chair

MOTION: AMEND HB 1133

1133ja

On page 1, line 7, of the printed bill, delete "or".

On page 1, line 8, delete "vision care discount plan".

On page 1, line 12, delete "or vision care discount plan".

On page 2, line 3, after "coating" insert ",".

On page 2, delete lines 13 to 15, inclusive.

On page 2, line 16, delete "or vision care discount plan".

On page 2, line 18, delete "or vision care discount plan".

On page 2, line 23, delete "or vision care discount plan".

On page 3, delete lines 2 to 5, inclusive.

On page 3, line 6, delete "or vision care discount plan".

On page 3, line 9, delete "or vision care discount plan".

On page 3, line 15, delete "and vision care".

On page 3, line 16, delete "discount plan".

Moved by: Beal
Second by: Zikmund
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1133 AS AMENDED

Moved by: Schoenbeck
Second by: Wollmann
Action: Failed by roll call vote. (5-6-2-0)

Voting Yes: Beal, Deutsch, Kirschman, Zikmund, Schoenbeck

Voting No: Harrison, Hawley, Novstrup (Al), Wiik, Wollmann, Rounds

Excused: Stalzer, Willadsen

MOTION: DEFER HB 1133 UNTIL FEBRUARY 18, 2015

Moved by: Kirschman

Second by: Schoenbeck
Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1162 UNTIL FEBRUARY 18, 2015

MOTION: ADJOURN

Moved by: Wiik
Second by: Wollmann
Action: Prevailed by voice vote.

Pam Kean
Committee Secretary

Tim Rounds, Chair